



RESOLUTION #21-22

A RESOLUTION ESTABLISHING OFFICIAL INTENT FOR A FUTURE ALLOCATION OF BOND PROCEEDS TO REIMBURSE EXPENDITURES FOR THE CONSTRUCTION OF A NEW POLICE STATION AND ASSOCIATED IMPROVEMENTS

WHEREAS, the City Council (the "Council") of the City of Williamsburg, Virginia (the "City") has determined that it is necessary and expedient to make certain expenditures ("Expenditures") in connection with the acquisition, construction and/or equipping of certain police and public safety facilities to be located in the City (collectively, the "Project");

WHEREAS, the Council has determined that it will be necessary to reimburse the City for Expenditures made after the date hereof, or no more than sixty (60) days prior to the date hereof, from indebtedness in a principal amount not to exceed \$13,750,000, which may include the proceeds of tax-exempt bonds issued by the City ("Bonds"); and

WHEREAS, Section 1.150-2 of the Treasury Regulations, promulgated under the Internal Revenue Code of 1986, as amended (the "Code"), provides that to allocate proceeds of Bonds to the reimbursement of Expenditures paid in advance of the issue date of such Bonds, the City shall have declared its official intent to allocate proceeds of Bonds to the reimbursement of such Expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLIAMSBURG, VIRGINIA:

1. The Council hereby declares its official intent, within the meaning set forth in Section 1.150-2 of the Treasury Regulations, to reimburse Expenditures for the Project with the proceeds of Bonds to be issued by the City; subject, however, to the Council's further consideration and approval of the timing, details and contractual relationships for any such incurrence of indebtedness.

2. Each Expenditure to be reimbursed with proceeds of Bonds shall be either (a) of a type properly chargeable to a capital account under general federal income tax principles, or (b) a cost of issuance.

3. A written reimbursement allocation evidencing the City's use of any proceeds of Bonds to reimburse Expenditures shall be made no later than 18 months after the later of the date on which the first Expenditure was paid or the date on which the Project was placed in service or abandoned, but in no event more than three (3)

years after the date on which the first Expenditure was paid; provided, however, that exceptions from such limitations are available for certain "preliminary expenditures," costs of issuance, certain *de minimis* amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure), and expenditures for construction projects of at least five (5) years.

4. The officers of the City are hereby authorized to perform such other acts as may be required to implement the objectives of this Resolution.


5. This Resolution shall take effect immediately upon its adoption.

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The undersigned hereby certifies that the above Resolution was duly adopted by an affirmative vote of a majority of the members of the City Council of the City of Williamsburg, Virginia at a meeting duly called and held on October 14, 2021, and that such resolution is in full force and effect on the date hereof.



Douglas Pons, Mayor

Attest: 

Sandi L. Filicko, City Council Clerk